

THE HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

FEDERAL TRADE COMMISSION, *et al.*,

Plaintiffs,

v.

AMAZON.COM, INC., a corporation,

Defendant.

CASE NO.: 2:23-cv-01495-JHC

STIPULATED MOTION AND  
[PROPOSED] ORDER  
REGARDING SEALING ISSUES

NOTE ON MOTION CALENDAR:  
October 25, 2024

Plaintiffs may file one or more discovery motions in compliance with the Court's orders regarding interim discovery deadlines. (*See* Dkt. ##288, 310). Because the briefing, declarations, and exhibits for those motions may contain a significant amount of information that Amazon or non-parties have designated Highly Confidential—Attorneys' Eyes Only or Confidential under the Protective Order. (Dkt. #160.), and to avoid burdening the Court with multiple sealing motions, the parties, by and through their respective attorneys of record, hereby stipulate and agree to the following filing and sealing procedures for any discovery motions filed on or before October 31, 2024 and any subsequent opposition or reply briefs:

1. Each party shall provisionally file under seal its briefs, declarations, and exhibits containing material designated Highly Confidential—Attorneys’ Eyes Only or Confidential under the Protective Order. The party shall contemporaneously file a public version of any sealed documents, redacting only the material that is provisionally filed under seal. The party is not required to file a motion to seal at the same time the party files the sealed documents.
2. Nothing in this Stipulation and Order relieves the parties of their obligations, under Local Civil Rule 5(g)(1)(A), to meet and confer before any filing to determine whether the designating party will withdraw its confidentiality designations.
3. Within 14 days of the date any reply is due, any party or non-party seeking to maintain under seal any material that was provisionally filed under seal pursuant to Paragraph 1 above shall file one omnibus motion to seal. The moving party or non-party shall include a table identifying: the document containing material to be maintained under seal, including docket number; a pincite for the material to be maintained under seal; and the basis for maintaining that material under seal.
4. Any material provisionally filed under seal pursuant to Paragraph 1 that is not the subject of a motion to seal filed within 14 days of the date any reply is due shall be deemed unsealed the following business day.

1 Stipulated to and respectfully submitted this 25th day of October, 2024, by:

2 *s/ Michael Baker*

3 SUSAN A. MUSSER (DC Bar # 1531486)

4 EDWARD H. TAKASHIMA (DC Bar # 1001641)

5 MICHAEL BAKER (DC Bar # 1044327)

6 Federal Trade Commission

7 600 Pennsylvania Avenue, NW

8 Washington, DC 20580

9 Tel.: (202) 326-2122 (Musser)

(202) 326-2464 (Takashima)

10 Email: smusser@ftc.gov

11 etakashima@ftc.gov

12 mabker1@ftc.gov

13 *Attorneys for Plaintiff Federal Trade Commission*

s/ Michael Jo

Michael Jo (admitted *pro hac vice*)  
Assistant Attorney General, Antitrust Bureau  
New York State Office of the Attorney  
General  
28 Liberty Street  
New York, NY 10005  
Telephone: (212) 416-6537  
Email: Michael.Jo@ag.ny.gov  
*Counsel for Plaintiff State of New York*

s/ Rahul A. Darwar

Rahul A. Darwar (admitted *pro hac vice*)  
Assistant Attorney General  
Office of the Attorney General of Connecticut  
165 Capitol Avenue  
Hartford, CT 06016  
Telephone: (860) 808-5030  
Email: Rahul.Darwar@ct.gov  
*Counsel for Plaintiff State of Connecticut*

s/ Alexandra C. Sosnowski

Alexandra C. Sosnowski (admitted *pro hac vice*)  
Assistant Attorney General  
Consumer Protection and Antitrust Bureau  
New Hampshire Department of Justice  
Office of the Attorney General  
One Granite Place South  
Concord, NH 03301  
Telephone: (603) 271-2678  
Email: Alexandra.c.sosnowski@doj.nh.gov  
*Counsel for Plaintiff State of New Hampshire*

s/ Robert J. Carlson

Robert J. Carlson (admitted *pro hac vice*)  
Assistant Attorney General  
Consumer Protection Unit  
Office of the Oklahoma Attorney General  
15 West 6th Street, Suite 1000  
Tulsa, OK 74119  
Telephone: (918) 581-2885  
Email: robert.carlson@oag.ok.gov  
*Counsel for Plaintiff State of Oklahoma*

s/ Timothy D. Smith

Timothy D. Smith, WSBA No. 44583  
Senior Assistant Attorney General  
Antitrust and False Claims Unit  
Oregon Department of Justice  
100 SW Market St  
Portland, OR 97201  
Telephone: (503) 934-4400  
Email: tim.smith@doj.state.or.us  
*Counsel for Plaintiff State of Oregon*

s/ Jennifer A. Thomson

Jennifer A. Thomson (admitted *pro hac vice*)  
Senior Deputy Attorney General  
Pennsylvania Office of Attorney General  
Strawberry Square, 14th Floor  
Harrisburg, PA 17120  
Telephone: (717) 787-4530  
Email: jthomson@attorneygeneral.gov  
*Counsel for Plaintiff Commonwealth of Pennsylvania*

s/ Michael A. Undorf

Michael A. Undorf (admitted *pro hac vice*)  
Deputy Attorney General  
Delaware Department of Justice  
820 N. French St., 5th Floor  
Wilmington, DE 19801  
Telephone: (302) 683-8816  
Email: michael.undorf@delaware.gov  
*Counsel for Plaintiff State of Delaware*

s/ Christina M. Moylan

Christina M. Moylan (admitted *pro hac vice*)  
Assistant Attorney General  
Chief, Consumer Protection Division  
Office of the Maine Attorney General  
6 State House Station  
Augusta, ME 04333-0006  
Telephone: (207) 626-8800  
Email: christina.moylan@maine.gov  
*Counsel for Plaintiff State of Maine*

s/ Gary Honick

Gary Honick (admitted *pro hac vice*)  
 Assistant Attorney General  
 Deputy Chief, Antitrust Division  
 Office of the Maryland Attorney General  
 200 St. Paul Place  
 Baltimore, MD 21202  
 Telephone: (410) 576-6470  
 Email: Ghonick@oag.state.md.us  
*Counsel for Plaintiff State of Maryland*

s/ Katherine W. Krems

Katherine W. Krems (admitted *pro hac vice*)  
 Assistant Attorney General, Antitrust Division  
 Office of the Massachusetts Attorney General  
 One Ashburton Place, 18th Floor  
 Boston, MA 02108  
 Telephone: (617) 963-2189  
 Email: katherine.krems@mass.gov  
*Counsel for Plaintiff Commonwealth of Massachusetts*

s/ Scott A. Mertens

Scott A. Mertens (admitted *pro hac vice*)  
 Assistant Attorney General  
 Michigan Department of Attorney General  
 525 West Ottawa Street  
 Lansing, MI 48933  
 Telephone: (517) 335-7622  
 Email: MertensS@michigan.gov  
*Counsel for Plaintiff State of Michigan*

s/ Zach Biesanz

Zach Biesanz (admitted *pro hac vice*)  
 Senior Enforcement Counsel  
 Office of the Minnesota Attorney General  
 445 Minnesota Street, Suite 1400  
 Saint Paul, MN 55101  
 Telephone: (651) 757-1257  
 Email: zach.biesanz@ag.state.mn.us  
*Counsel for Plaintiff State of Minnesota*

s/ Lucas J. Tucker

Lucas J. Tucker (admitted *pro hac vice*)  
 Senior Deputy Attorney General  
 Office of the Nevada Attorney General  
 100 N. Carson St.  
 Carson City, NV 89701  
 Telephone: (775) 684-1100  
 Email: LTucker@ag.nv.gov  
*Counsel for Plaintiff State of Nevada*

s/ Andrew Esoldi

Andrew Esoldi (admitted *pro hac vice*)  
 Deputy Attorney General  
 New Jersey Office of the Attorney General  
 124 Halsey Street, 5th Floor  
 Newark, NJ 07101  
 Telephone: (973) 648-7819  
 Email: andrew.esoldi@law.njoag.gov  
*Counsel for Plaintiff State of New Jersey*

s/ Jeffrey Herrera

Jeffrey Herrera (admitted *pro hac vice*)  
 Assistant Attorney General  
 New Mexico Office of the Attorney General  
 408 Galisteo St.  
 Santa Fe, NM 87501  
 Telephone: (505) 490-4878  
 Email: jherrera@nmag.gov  
*Counsel for Plaintiff State of New Mexico*

s/ Zulma Carrasquillo Almena

Zulma Carrasquillo Almena (admitted *pro hac vice*)  
 Puerto Rico Department of Justice  
 P.O. Box 9020192  
 San Juan, Puerto Rico 00902-0192  
 Telephone: (787) 721-2900, Ext. 1211  
 Email: zcarrasquillo@justicia.pr.gov  
*Counsel for Plaintiff Commonwealth of Puerto Rico*

1 s/ Stephen N. Provazza

Stephen N. Provazza (admitted *pro hac vice*)  
2 Special Assistant Attorney General  
Chief, Consumer and Economic Justice Unit  
3 Department of the Attorney General  
150 South Main Street  
4 Providence, RI 02903  
Telephone: (401) 274-4400  
5 Email: sprovazza@riag.ri.gov  
*Counsel for Plaintiff State of Rhode Island*

6 s/ Sarah L.J. Aceves

7 Sarah L.J. Aceves (admitted *pro hac vice*)  
Assistant Attorney General  
8 Public Protection Division  
Vermont Attorney General's Office  
9 109 State Street  
Montpelier, VT 05609  
10 Telephone: (802) 828-3170  
Email: Sarah.Aceves@vermont.gov  
11 *Counsel for Plaintiff State of Vermont*

12 s/ Laura E. McFarlane

Laura E. McFarlane (admitted *pro hac vice*)  
13 Assistant Attorney General  
Wisconsin Department of Justice  
14 Post Office Box 7857  
Madison, WI 53707-7857  
15 Telephone: (608) 266-8911  
Email: mcfarlanele@doj.state.wi.us  
16 *Counsel for Plaintiff State of Wisconsin*

**MORGAN, LEWIS & BOCKIUS LLP**

By: s/ Patty A. Eakes  
Patty A. Eakes, WSBA #18888  
Molly A. Terwilliger, WSBA #28449  
1301 Second Avenue, Suite 2800  
Seattle, WA 98101  
Phone: (206) 274-6400  
Email: patti.eakes@morganlewis.com  
molly.terwilliger@morganlewis.com

**WILLIAMS & CONNOLLY LLP**

Heidi K. Hubbard (*pro hac vice*)  
John E. Schmidlein (*pro hac vice*)  
Kevin M. Hodges (*pro hac vice*)  
Jonathan B. Pitt (*pro hac vice*)  
Carl R. Metz (*pro hac vice*)  
Carol J. Pruski (*pro hac vice*)  
Katherine Trefz (*pro hac vice*)  
680 Maine Avenue SW  
Washington, DC 20024  
Phone: (202) 434-5000  
Email: hhubbard@wc.com  
khodges@wc.com  
jpitt@wc.com  
cmetz@wc.com  
cpruski@wc.com  
ktrefz@wc.com

**COVINGTON & BURLING LLP**

Thomas O. Barnett (*pro hac vice*)  
Katherine Mitchell-Tombras (*pro hac vice*)  
One CityCenter  
850 Tenth Street, NW  
Washington, DC 20001-4956  
Phone: (202) 662-5407  
Email: tbarnett@cov.com  
kmitchelltombras@cov.com

**WILKINSON STEKLOFF LLP**

Kosta S. Stojilkovic (*pro hac vice*)  
2001 M Street NW, 10th Floor  
Washington, DC 20036  
Phone: (202) 847-4045  
Email: kstojilkovic@wilkinsonstekloff.com

*Attorneys for Defendant Amazon.com, Inc.*



**[PROPOSED] ORDER**

IT IS SO ORDERED.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
JOHN H. CHUN  
UNITED STATES DISTRICT JUDGE

Presented By:

s/ Michael Baker

SUSAN A. MUSSER (DC Bar # 1531486)  
EDWARD H. TAKASHIMA (DC Bar # 1001641)  
MICHAEL BAKER (DC Bar # 1044327)  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580  
Tel.: (202) 326-2122 (Musser)  
(202) 326-2464 (Takashima)  
Email: smusser@ftc.gov  
etakashima@ftc.gov  
mbaker1@ftc.gov

*Attorneys for Plaintiff*  
*Federal Trade Commission*